

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 135-2019

A By-law to designate by Number an amendment to City of Vaughan By-law 1-88, as effected by the Local Planning Appeal Tribunal.

The Council of the Corporation of the City of Vaughan **ENACTS AS FOLLOWS:**

1. THAT the Amendment to City of Vaughan By-law 1-88, as effected by the Local Planning Appeal Tribunal Order Issue, dated the 28th day of August 2019 (LPAT File No. PL170805), attached hereto as Schedule "C", is hereby designated as By-Law Number 135-2019.

Enacted by City of Vaughan Council this 23rd day of October, 2019.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



ISSUE DATE: August 28, 2019

CASE NO.:

PL170805

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant: Richard Rodaro
Subject: Proposed Plan of Subdivision
Property Address/ Description: 11, 31, 51 Woodend Place/ Part of Lot 20, Concession 6
Municipality: City of Vaughan
Municipal File No.: 19T-15V011
OMB Case No.: PL170805
OMB File No.: PL170805
OMB Case Name: Rodaro v. Vaughan (City)

PROCEEDING COMMENCED UNDER subsection 17(24) of the *Planning Act*, R.S.O. 1990, C. P. 13, as amended

Appellant: Richard Rodaro
Subject: Proposed Official Plan Amendment No. 19 (OPA 19)
Municipality: City of Vaughan
OMB Case No.: PL170805
OMB File No.: PL171309

PROCEEDING COMMENCED UNDER subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant: Richard Rodaro
Subject: By-law No. 131-2017
Municipality: City of Vaughan
OMB Case No.: PL170805
OMB File No.: PL171310

BEFORE:

C. CONTI)	Wednesday, the 28 th
VICE-CHAIR)	day of August, 2019
)	

THIS MATTER having come on for public hearing and after the hearing, the Tribunal in its Decision issued December 20, 2018 allowed the appeals in part and withheld its Order and directed the Applicant to modify and amend the proposal and submit revised instruments generally in accordance with the Applicant's initial proposal found at Exhibit 2B, TAB F, which the Tribunal finds conforms to the 2017 Growth Plan and PPS, has regard to s. 2 of the Act, conforms to the Region's and City's OP, constitutes good planning and is in the public interest; subject further to the direction that the proposal and instruments be modified, if and as necessary, to reflect the Tribunal's reasons and findings in respect of the appropriate minimum protection vegetation protection zone to be provided for;

AND THE TRIBUNAL having been provided with the revised instruments and received confirmation from the Toronto Region Conservation Authority and the City of Vaughan that they were satisfied with the form of the revised instruments;

THE TRIBUNAL ORDERS that the Draft Plan of Subdivision and conditions, attached as 'Schedule A', the Official Plan Amendment, attached as 'Schedule B', and the Zoning By-law Amendment, attached as 'Schedule' C', are approved.

A handwritten signature in black ink, reading "Ma Hurwicks". The signature is written in a cursive, flowing style.

REGISTRAR

If there is an attachment referred to in this document,
please visit www.elfo.gov.on.ca to view the attachment in PDF format.

Local Planning Appeal Tribunal

A constituent tribunal of Tribunals Ontario – Environment and Land
Website: www.elfo.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

SCHEDULE C

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 135-2019

A By-law to amend City of Vaughan By-law 1-88, and as amended by By-law 162-2007.

WHEREAS the matters herein set out are in conformity with the Official Plan of the Vaughan Planning Area, which is approved and in force at this time;

AND WHEREAS there has been no amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are not in conformity;

NOW THEREFORE the Council of the Corporation of the City of Vaughan **ENACTS AS FOLLOWS:**

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:
 - a) Deleting Part “i)” in Exception 9(1281) in its entirety, thereby deleting all reference to the Holding Symbol “(H)” from the lands shown as “Subject Lands” on Schedule “2” attached hereto.
 - b) Deleting Schedule “E-1409” and substituting therefor the Schedule “E-1409” attached hereto as Schedule “2”, thereby deleting the Holding Symbol “(H)” in its entirety and deleting all references to Exception 9(1281) from the lands shown as “Subject Lands” on Schedule “1” attached hereto.
 - c) Rezoning the Subject Lands on Schedule “1” from RR Rural Residential Zone and RD2(H) Residential Detached Zone Two with the Holding Symbol “(H)” to RT1(H) Residential Townhouse Zone with the Holding Symbol “(H)” and OS4 Open Space Woodlot Zone, in the manner shown on Schedule “1”.
 - d) Adding the following paragraph to Section 9.0 “EXCEPTIONS”:

“(1451) A. The following provisions shall apply to all lands zoned with the Holding Symbol “(H)” as shown on Schedule “E-1581” until the Holding Symbol “(H)” is removed pursuant to Subsection 36(1) or (3) of the *Planning Act*:

 - i) Lands zoned with the Holding Symbol “(H)” shall be used only for a use legally existing as of the date of enactment of By-law 131-2017, the production of field crops, or a temporary sales office; and,
 - ii) Removal of the Holding Symbol “(H)” from the Subject Lands, or a portion thereof, shall be contingent on the following:
 - a. That the downstream pump station and sanitary sewer conveyance issues are resolved to the satisfaction of the Development

Engineering Department and the Environmental Services Department; and,

- b. Vaughan Council identifying and allocating servicing capacity from the York Sewage Servicing/Water Supply System sufficient to service all dwelling units on the Subject Lands.

B. Notwithstanding the provisions of:

- a) Subsections 3.14 c) respecting Yard Encroachments and Restrictions in an RT1 Residential Townhouse Zone;
- b) Subsections 4.1.9, 4.22.3, and Schedule "A3" respecting Minimum Zone Standards in the RT1 Residential Townhouse Zone;

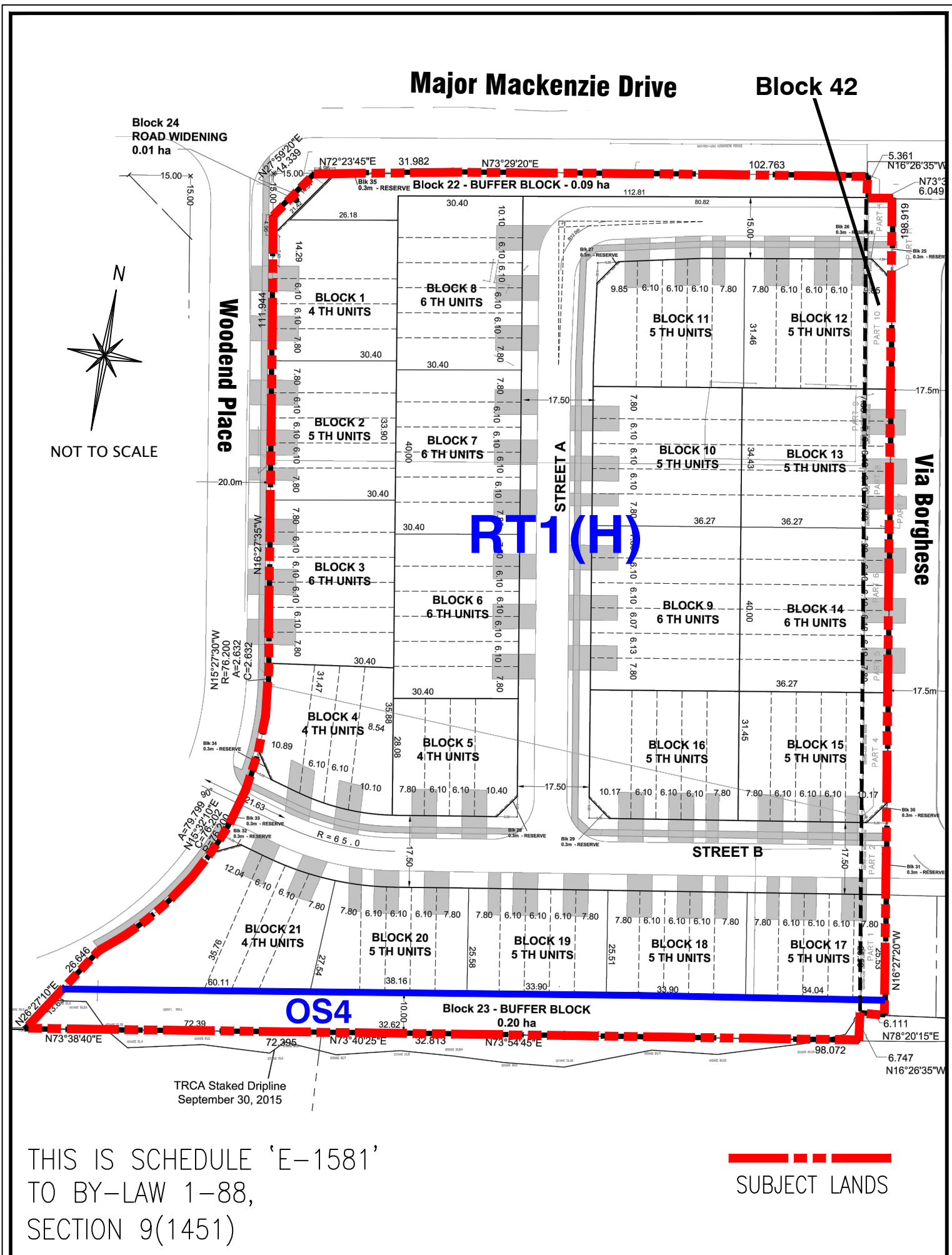
the following provisions shall apply to the lands shown as "Subject Lands" on Schedule "E-1581":

- ai) exterior stairways, and porches and balconies which are uncovered, unexcavated and unenclosed may extend into a required rear yard to a maximum of 2.4 m;
 - bi) the minimum lot area shall be 155 m² for Blocks 17, 18, 19, 20 and 21;
 - bii) the minimum rear yard setback shall be 5.5 m for Blocks 17, 18, 19, 20 and 21;
 - biii) the minimum exterior side yard setback shall be 3.5 m;
 - biv) the minimum lot depth shall be 25.5 m for Blocks 17, 18, 19, 20 and 21;
- and,
- bv) the maximum building height shall be 12.6 m;

e) Adding Schedule "E-1581" attached hereto as Schedule "1".

f) Deleting Key Map 6D and substituting therefor the Key Map 6D attached hereto as Schedule "3".

2. Schedules "1", "2" and "3" shall be and hereby form part of this By-law.



THIS IS SCHEDULE 'E-1581'
 TO BY-LAW 1-88,
 SECTION 9(1451)

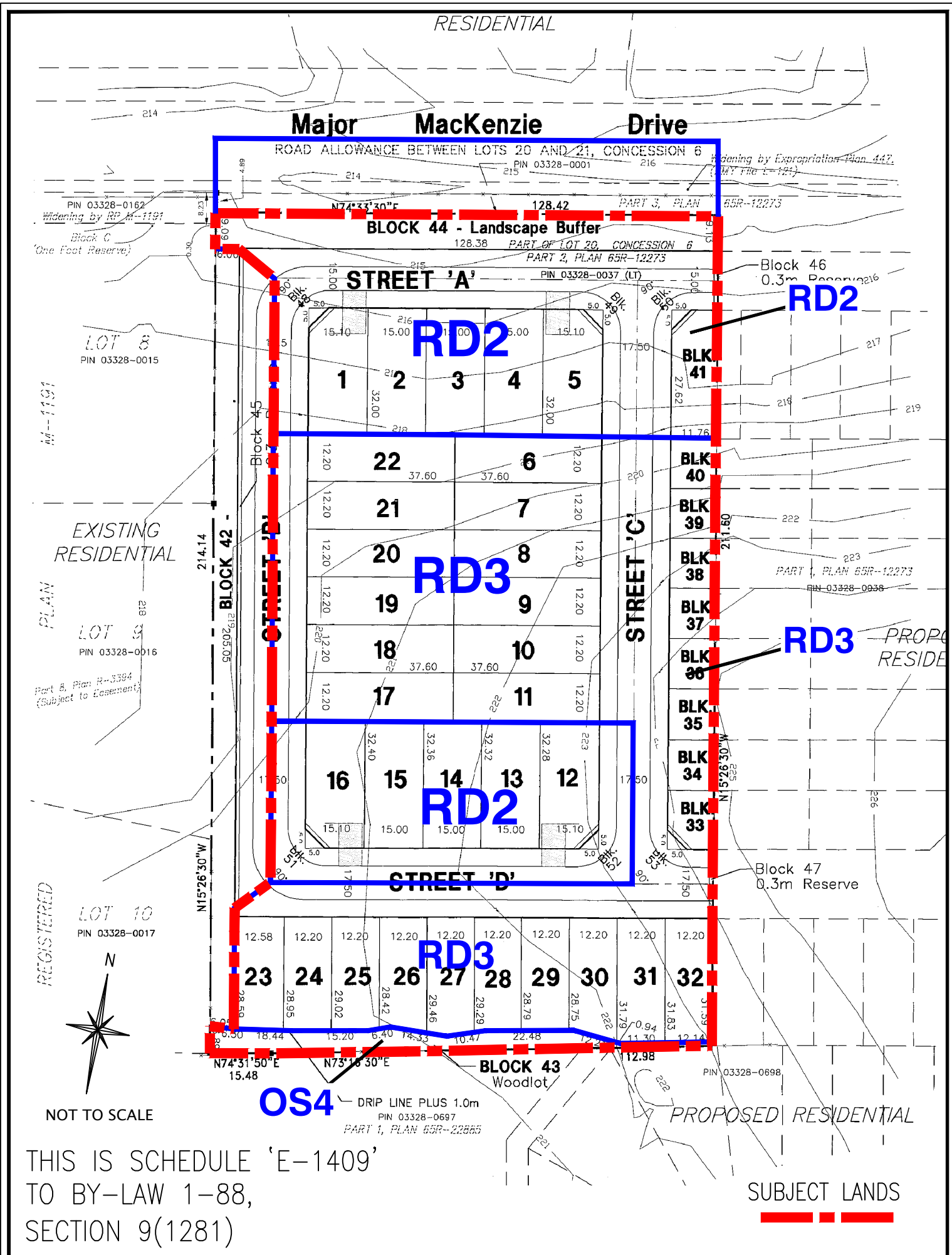

 SUBJECT LANDS

THIS IS SCHEDULE '1'
TO BY-LAW 135 - 2019
 PASSED THE 23rd DAY OF October, 2019

FILE No. Z.15.032
 RELATED FILES: OP.16.003 & 19T-15V011
 LOCATION: Part of Lot 20, Concession 6
 APPLICANT: COUNTRYWIDE HOMES WOODEND PLACE INC.
 CITY OF VAUGHAN

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SIGNING OFFICERS
BOARD ORDER: PL170805
AUGUST 28, 2019
 MAYOR
 CLERK

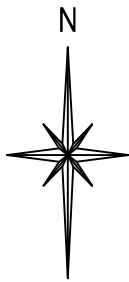


THIS IS SCHEDULE 'E-1409'
 TO BY-LAW 1-88,
 SECTION 9(1281)

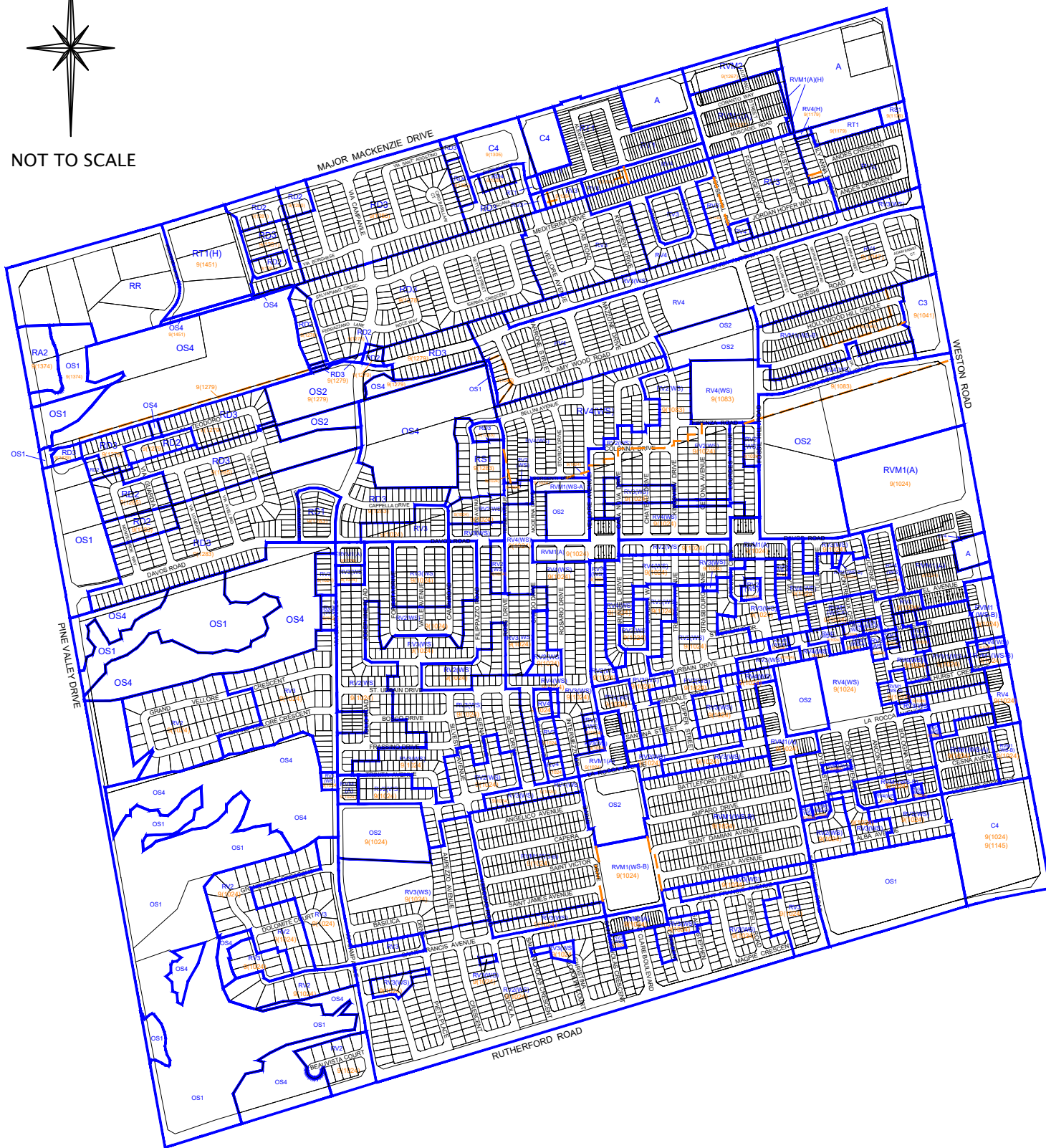
THIS IS SCHEDULE '2'
TO BY-LAW 135 - 2019
 PASSED THE 23rd DAY OF October, 2019

FILE No. Z.15.032
 RELATED FILES: OP.16.003 & 19T-15V011
 LOCATION: Part of Lot 20, Concession 6
 APPLICANT: COUNTRYWIDE HOMES WOODEND PLACE INC.
 CITY OF VAUGHAN

SIGNING OFFICERS
 BOARD ORDER: PL170805
 AUGUST 28, 2019
 MAYOR
 CLERK



NOT TO SCALE



KEY MAP 6D BY-LAW 1-88

**THIS IS SCHEDULE '3'
TO BY-LAW 135 - 2019
PASSED THE 23rd DAY OF October, 2019**

FILE No. Z.15.032
RELATED FILES: OP.16.003 & 19T-15V011
LOCATION: Part of Lot 20, Concession 6
APPLICANT: COUNTRYWIDE HOMES WOODEND PLACE INC.
CITY OF VAUGHAN

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SIGNING OFFICERS

**BOARD ORDER: PL170805
AUGUST 28, 2019**

MAYOR

CLERK

SUMMARY TO BY-LAW 135- 2019

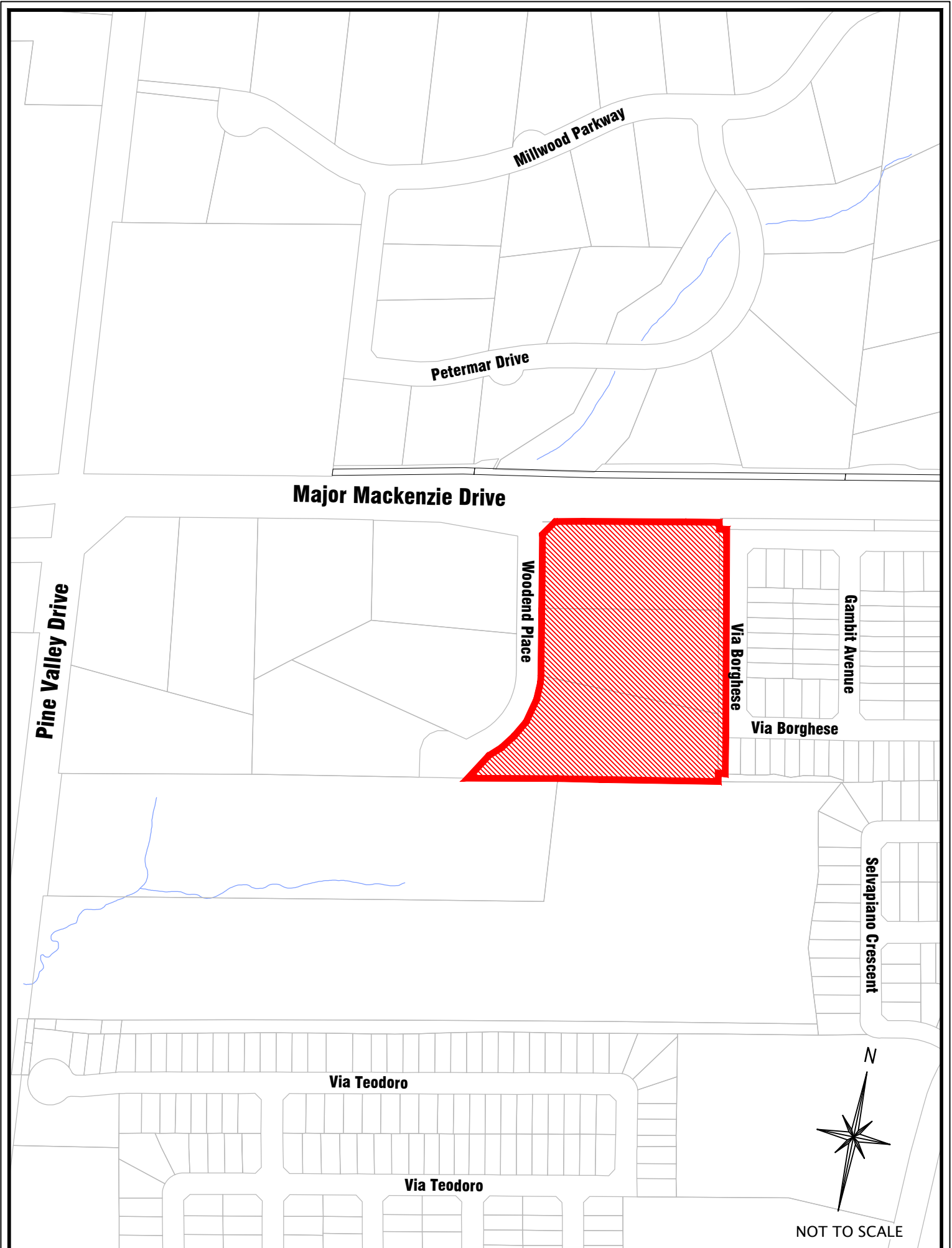
The lands subject to this By-law are located on the south side of Major Mackenzie Drive, east of Pine Valley Drive, and include the lands municipally known as 11, 31 and 51 Woodend Place, and the lands legally known as Block 42, Registered Plan 65M-4149; all being in Part of Lot 20, Concession 6, City of Vaughan (the "Subject Lands").

The purpose of this site-specific zoning by-law is to rezone the Subject Lands from RR Rural Residential Zone and RD2(H) Residential Detached Zone Two with the Holding Symbol "(H)" to RT1(H) Residential Townhouse Zone with the Holding Symbol "(H)" and OS4 Open Space Woodlot Zone, in order to permit the development of 21 townhouse blocks, containing 107 townhouse dwelling units, with frontage on an extension of Via Borghese, Woodend Place and two new public streets.

On June 5, 2017, Vaughan Council approved Official Plan and Zoning By-law Amendments and Draft Plan of Subdivision Files OP.16.003, Z.15.032 and 19T-15V011, thereby approving the Subject Lands for the development of 56 lots for detached dwellings, 8 part blocks to be combined with future part blocks on the adjacent lands to the east (being Block 42, Registered Plan 65M-4149) to create 8 full lots for future detached dwellings, and 4 townhouse blocks containing 22 townhouse dwelling units fronting onto an extension of Via Borghese, Woodend Place and two new public streets (authorized by Item No. 21 of Report No. 21 of the Committee of the Whole). As part of this approval, Vaughan Council allocated servicing capacity to Draft Plan of Subdivision File 19T-15V011 from the York Sewage Servicing/Water Supply System for a total 86 residential units (approximately 292 persons equivalent).

Official Plan and Zoning By-law Amendment Files OP.16.003 and Z.15.032, and Draft Plan of Subdivision File 19T-15V011 were appealed to the Local Planning Appeal Tribunal ("LPAT") on November 21, 2017 and July 21, 2017 respectively. The LPAT rendered a decision on December 20, 2018 (the "Decision") and directed the Applicant to amend its proposal generally in accordance with its original proposal for the development of 113 townhouses but also including a modification to the plan to include a 10 m open space buffer as measured from the southerly property line, and instructed the Applicant to submit revised instruments to the Tribunal for approval. The Plan includes 21 residential townhouse blocks, for a total of 107 townhouse dwellings with frontage on an extension of Via Borghese, Woodend Place and two new public streets, and a 10 m open space buffer as measured from the southerly property line. The Plan includes Block 42, Registered Plan 65M-4149, which is necessary to create full blocks with frontage onto Via Borghese and is required to implement the Decision.

To implement the Decision, the Subject Lands must be rezoned from RR Rural Residential Zone and RD2(H) Residential Detached Zone Two with the Holding Symbol "(H)" to RT1(H) Residential Townhouse Zone with the Holding Symbol "(H)" relating to downstream pump station and sanitary sewer conveyance, and allocation requirements for a total of 107 dwelling units.



LOCATION MAP TO BY-LAW 135 - 2019

FILE No. Z.15.032
 RELATED FILES: OP.16.003 & 19T-15V011
 LOCATION: Part of Lot 20, Concession 6
 APPLICANT: COUNTRYWIDE HOMES WOODEND PLACE INC.
 CITY OF VAUGHAN



SUBJECT LANDS